THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.15845 of 2005

Between:

V.Krishna Reddy

.. Petitioner

and

The District Collector, Kadapa and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.15845 of 2005

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O R D E R:

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This writ petition is filed seeking a direction to respondents 1 to 4 not to sanction any construction permission to the land situated in Sy.No.684/1, 7th Ward, Rly.Kodur, Kadapa District.

It is the case of the petitioner that he is the Head Master of H.M.M. High School, Rly.Kodur, Kadapa District. The said school is under the management of the South

Andhra Luthern Church. While so, some disputes arose between the members of the society i.e. South Andhra Luthern Church and the members who are styling themselves as Board of Trustees. In view of the same, they started making registration alienating the land forming part of the school playground. Aggrieved by the same, the Correspondent of the school filed O.S.No.36 of 2004 on the file of the Principal District Judge, Kadapa and the same was returned for payment of Court fee. Questioning the same, the Correspondent filed C.R.P.No.2434 of 2005, which is pending. The grievance of the petitioner is that respondents 5 to 7 are trying to construct a building in the playground and they are trying to submit application for approval of construction plan, though the Trust Board or the Church has no power to alienate the playground. Hence, this writ petition.

Heard the learned counsel on either side.

A perusal of the material available on record clearly shows that the Correspondent of the school filed the suit and the civil revision petition. In that view of the matter, though the Correspondent is the competent person to sue on behalf of the school, the petitioner being the Head Master of the school filed the present writ petition. This Court is of the view that the petitioner is not the authorized person to file this writ petition.

Hence, the writ petition is dismissed at the stage of admission. There shall be no order as to costs.

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02.08.2005

kdl

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